

CITY OF NEWPORT
REQUEST FOR PROPOSALS

LEGAL SERVICES - GENERAL MUNICIPAL LAW

The City of Newport invites interested individual attorneys and law firms to submit written proposals to provide general municipal legal services.

The city is seeking general municipal legal services, anticipated to be approximately 10 hours weekly, (approximately 40 hours monthly) which would include advising the City Council on quasi-judicial and legislative procedures or other matters specifically before the City Council that have not already been addressed by outside counsel through the staff. It is expected that this individual or firm will attend City Council work sessions, regular and special meetings.

This individual or firm would be responsible for prosecution of traffic offenses and violations (including minor misdemeanors converted to violations) in the Municipal Court, in those cases in which defendants have legal counsel. This involves handling appropriate paperwork, occasionally conducting negotiations with opposing counsel, and in rare cases, handling Municipal Court trials.

The attached Appendix A shows the estimated proportions of time spent in various work areas monthly.

The city currently contracts with outside counsel for services in areas such as land use, contract law, personnel, bond counsel, real estate, and other areas. The City Manager is responsible for oversight of that contract, and may delegate authority to utilize said services to department heads or other city staff as appropriate.

The city is insured by the City-County Insurance Service both for tort-type claims and for workers compensation claims, so defense services in insured cases except for monitoring of significant cases and occasionally assisting lead CIS defense counsel in the assembly of city records would not be required.

The City Council meets regularly on the first and third Mondays of each month at 6:00 P.M. Work sessions of the City Council are generally held at noon on the first and third Mondays of each month. Occasional special meetings may be held, based on need, and at the request of the Mayor and City Council.

The City Council will appoint a licensed attorney to provide general legal services until June 30, 2014. The attorney selected to provide general legal services will serve at the pleasure of the City Council and may be removed at any time by the vote of at least four members.

The city is prepared to review proposals from individuals or firms to serve as an independent contractor. The city is requesting that proposals include fees calculated on an hourly basis, or a monthly retainer based on 40 hours per month.

The city is unable to provide office space and staffing, although limited equipment, supplies, and copying services may be negotiated.

Proposals may be mailed or hand-delivered to:

Peggy Hawker, City Recorder/Special Projects Director
Attention: Legal Services Proposal
City of Newport
169 SW Coast Highway
Newport, Oregon 97365

Alternatively, proposals may be e-mailed as an attachment, with the e-mail subject "Legal Services Proposal" to p.hawker@newportoregon.gov. E-mail attachments should be in Word format. The city will only consider proposals that it has received by 5:00 P.M., Friday, September 13, 2013.

If a proposer wishes to have his/her identity kept confidential, the proposer should include the statement "CONFIDENTIAL" at the upper right hand corner of the first page of the proposal. The city will make its best effort to keep the proposer's identity confidential.

The city reserves the right to reject all proposals, to request additional information concerning any proposal, to accept or negotiate modifications to any proposal, to interview any proposer, and to waive any irregularities in any proposal following the proposal submission deadline date, in order to serve the best interests of the city.

All inquiries about this Request for Proposals and current legal services received by the city, including inquiries about past and current litigation, should be directed by e-mail to Peggy Hawker, City Recorder/Special Projects Director, at p.hawker@newportoregon.gov.

Requested Information.

Proposals should include the following information. Proposers may submit additional information as deemed appropriate.

1. For individual proposers, employment history since 2000, and for firm proposers, legal status of firm or predecessor forms of organization since 2000, including specialization of individual, firm, or predecessor organization.
2. Qualifications for providing general legal services, for each attorney likely to provide services, including:
 - A. Law school (including year of graduation), year of admission to Oregon State Bar, and years of practice.
 - B. Years of municipal or other public sector law practice as a full-time government attorney or specializing in municipal or other public sector

law practice in a law firm or as a sole practitioner.

C. Particular areas of knowledge and experience in Oregon government law, including but not limited to law related to cities. Examples of areas may include but are not necessarily limited to law related to:

1. Land use;
2. Personnel matters and labor negotiations;
3. Franchises and franchise fees;
4. Taxes, fees, and charges such as systems development charges and water and sewer service charges;
5. Annexation;
6. Police matters;
7. Public purchasing and contracting;
8. Municipal court prosecutions;
9. Planning, construction, and operation of public facilities such as street, water, sanitary sewer, and storm drainage facilities;
10. Urban renewal;
11. Open meetings and public records;
12. Government ethics; and
13. Elections.

D. Litigation experience, including descriptions of representative cases and outcomes.

E. Drafting experience, such as drafting of contracts, memoranda, ordinances, and resolutions.

F. Experience giving oral advice such as during the course of City Council meetings and by telephone to city staff.

G. Other types of clients represented.

H. Affiliations or clients that could cause conflicts of interest regarding likely City Attorney matters.

3. How you propose to provide general legal services to the city. This should address issues such as office location; accessibility to City Council members and city staff; attendance at City Council, and occasional other meetings; services expected from the City; and if a firm, how you propose to manage the firm's provision of services to the city – for example, would there be a lead attorney and, if so, who would that attorney be and how would other attorneys be involved.

4. Proposed compensation for general legal services. As an independent contractor, this should include any proposal for expense reimbursements beyond payments for time. For a firm's proposal, if the proposed compensation

will vary depending on which attorney does work, this should include the proposed method of charging for each attorney who will be performing work.

5. Any work listed in Appendix A that would not be covered by your compensation proposal.

APPENDIX A

ESTIMATED MONTHLY PROPORTION
OF GENERAL LEGAL SERVICES TIME BY WORK AREA

ATTENDANCE AT CITY COUNCIL MEETINGS	55%
PREPARATION FOR CITY COUNCIL MEETINGS	25%
CODE ENFORCEMENT AND MUNICIPAL COURT PROSECUTIONS	10%
MISCELLANEOUS	10%

Note: The amount of time spent in the work areas may vary from month to month.